

## MINUTES - APRIL 5, 2010

The Caswell County Board of Commissioners met in regular session at the Historic Courthouse in Yanceyville, North Carolina at 6:30 p.m. on Monday, April 5, 2010. Members present: George W. Ward, Jr., Chairman, Kenneth D. Travis, Vice-Chairman, Erik D. Battle, William E. Carter, and Nathaniel Hall. Absent: Jeremiah Jefferies and Gordon G. Satterfield. Also present: Kevin B. Howard, County Manager, Michael R. Ferrell, County Attorney, and Angela Evans representing The Caswell Messenger. Wanda P. Smith, Clerk to the Board, recorded the minutes.

### MOMENT OF SILENT PRAYER

Chairman Ward opened the meeting with a Moment of Silent Prayer.

### APPROVAL OF AGENDA

Chairman Ward stated that he would like to move Agenda Item No. 12, Bond Refunding Update to Item No. 5 on the agenda and add Hiring Process for Clerk to the Board as Item No. 18, with the remaining agenda items to follow.

Commissioner Travis moved, seconded by Commissioner Hall to approve the agenda as presented, with Bond Refunding Update moved to Agenda Item No. 5 and the addition of Hiring Process for Clerk to the Board as Item No. 18. The motion carried unanimously with Commissioner Carter absent.

### APPROVAL OF CONSENT AGENDA

Commissioner Travis moved, seconded by Commissioner Battle to approve the Consent Agenda as presented. The motion carried unanimously with Commissioner Carter absent.

The following items were included on the Consent Agenda:

- 1) Approval of Minutes of February 15, 2010 Regular Meeting, March 1, 2010 Regular Meeting, March 8, 2010 Special Meeting, and March 15, 2011 Regular Meeting
- 2) Financial Report – July 1, 2009 – February 28, 2010

### PUBLIC COMMENTS

Chairman Ward opened the floor for public comments.

Mr. John Claggett came before the Board and made the following comments:

“Good Evening, my name is John Claggett, and I reside at 108 Jaye Lane, Providence, NC.

On March 22<sup>nd</sup> I asked the County Planner “who informed the County Attorney that Hayes Iron and Metal was in compliance with the Outdoor Storage Ordinance” as was reported to the Board by Mr. Ferrell February 9<sup>th</sup>. Mr. Collie explained to me that what he had said to the County Attorney was that Hayes Iron and Metal had been compliant with everything they’ve been instructed to do so far and when they felt they were in compliance to give him a call so he could take a look at it, and take some pictures to present to the Board. Let me add that this wasn’t the first time Mr. Collie had made that very statement to me.

I immediately went to the County Manager’s office and asked him the same question. His answer was without any hesitation “Brian”. When I explained that Mr. Collie had given me a different answer and informed him of what that answer was I was once again told by Mr. Howard that there must have been a miscommunication, and that the next time the County Attorney came up that they would drive out and take a look at it. What’s to look at, the county has been provided pictures for almost a year and a half now. When do the excuses cease and appropriate enforcement begin? There appears to be some foot dragging or covering up going on, possibly both.

On the following day March 23<sup>rd</sup> I met with the District Attorney for some guidance and some answers. After reading over the ordinance DA Long informed me that it is very clear who is responsible for the enforcement and what is to be enforced. After some further discussion he advised me that there are options that can be pursued.

One option is the taxpayer going to the Magistrate and possibly getting the DA to conduct an investigation, which he said he would conduct to the fullest.

Another option is for the taxpayer to file an Action of Mandamus with the courts. Basically, this means if the ordinance isn’t enforced the enforcer will be held in contempt. How embarrassing!

If the county can’t get Hayes Iron and Metal to become compliant with our ordinance which has been the case so far, another option is to issue a stop work order.

If the junk is visible to the public then they’re out of compliance which is why the penalties should continue to accrue at \$250.00 per day in accordance with our ordinance until compliance is achieved. Remember, Hayes unilaterally created this mess by taking themselves out of compliance more than a year and a half ago.

Gentlemen, which is it, enforcement by the county or enforcement by the taxpayer?

I’d be happy to entertain any questions you may have at this time.”

#### BOND REFUNDING UPDATE

Mr. Chris Alexander, Vice-President with First Tryon Securities, came before the Board to give an update on the refunding of the County’s 2000 General Obligation bonds. Mr. Alexander reported that the bonds were priced 33 days ago on March 2, 2010 and closed this afternoon according to Mr. Paul Jacobson, Bond Counsel with Sands, Anderson, Marks & Miller. Mr.

Alexander reported that the original bonds had an interest rate of 5.30%, and they were able to refund these bonds at a new interest rate of 2.6287%, which yielded a 10.44% savings of the bonds. Mr. Alexander stated that the savings amounted to \$258,313.27, which reduced the loan debt service by \$305,750.

Mr. Alexander reported that Moody's reaffirmed the County's General Obligation bond rating at A3. Mr. Alexander stated that they requested an upgrade from Standard and Poor's and Caswell County was successful in upgrading its BAA1 rating to A1. Mr. Alexander added that this is the first time that a three notch rating upgrade has ever occurred in the State of North Carolina, and has not happened in the United States since 2007.

**PUBLIC HEARING – PROPOSED AMENDMENTS TO THE CASWELL COUNTY  
MANUFACTURED HOME SITING ORDINANCE**

Commissioner Travis moved, seconded by Commissioner Hall that the Board enter into a public hearing to receive comments on proposed amendments to the Caswell County Manufactured Home Siting Ordinance. The motion carried unanimously with Commissioner Carter absent.

Mr. Brian Collie, County Planner, came before the Board and discussed the proposed amendments to the Caswell County Manufactured Home Siting Ordinance that were recommended by the Planning Board and presented to the Board at its March 15, 2010 meeting. Mr. Collie added that the amendments change the definition of a Manufactured Home Park. Mr. Collie noted that the Planning Board proposed an amendment that would still require that if more than two manufactured homes were placed on an individual lot that it must be classified as a Manufactured Home Park, but reworded the definition to allow property owners to survey off an acre lot for placement of a manufactured home even if it adjoins other property that he or she may own, as long as it meets all other requirements for Caswell County.

Mr. Collie reported that the Planning Board also proposed an amendment addressing the manufactured home age requirement due to a ruling by the Superior Court in 2009 that a County could not regulate manufactured homes based upon age. Mr. Collie added that the Planning Board recommends that any manufactured home constructed after July 1, 1976, can be set up within Caswell County as long as it meets all other requirements in the Ordinance, Caswell County, and the NC State Building Code.

Mr. Collie provided the Board with a copy of the Manufactured Home Siting Ordinance with the proposed amendments.

Upon questioning from Commissioner Hall as to the 1976 date, Mr. Michael Ferrell, County Attorney, answered that 1976 is when the State established its Code for manufactured homes. Commissioner Hall stated that this information needs to be included in the County's Manufactured Home Siting Ordinance.

There being no further comments, Chairman Ward declared the public hearing closed.

Chairman Ward directed the County Planner to have the County Attorney review the Caswell County Manufactured Home Siting Ordinance and proposed amendments and include the appropriate language, to be brought back before the Board for further consideration at its April 19, 2010 meeting.

### PUBLIC HEARING – CASWELL COUNTY OUTDOOR STORAGE ORDINANCE

Commissioner Travis moved, seconded by Commissioner Battle that the Board enter into a public hearing to receive comments on proposed amendments to the Caswell County Outdoor Storage Ordinance. The motion carried unanimously with Commissioner Carter absent.

Mr. Brian Collie, County Planner, came before the Board and discussed the proposed amendments to the Caswell County Outdoor Storage Ordinance that were recommended by the Planning Board and presented to the Board at its March 15, 2010 meeting. Mr. Collie reported that the Planning Board reviewed Section 7(f) of the Outdoor Storage Ordinance and felt that citizens operating Auto Sales facilities in the County should be able to have as many automobiles as they would like as long as they met all requirements of Section 7(f)(1) of the Outdoor Storage Ordinance. Mr. Collie noted that cars that do not meet the requirements of this section will not be classified under Auto Sales and will not be permissible.

Mr. Collie provided the Board with a copy of the Outdoor Storage Ordinance with the proposed amendments.

Commissioner Travis questioned how many car lots there are in the County and added that he did not think that anyone selling cars in the County would have more than 25 cars at one time. Commissioner Travis stated that he felt that this proposed amendment would be defeating the purpose of what the Board of Commissioners started when they adopted the Outdoor Storage Ordinance. Commissioner Travis added that he does not agree with the proposed amendment.

Mr. Melvin Butler, Chairman, Caswell County Planning Board, came before the Board and stated that there are not any car lots in the County that have 25 cars to sell, but there are car lots throughout the country that have more than 25 to sell. Mr. Butler added that it would be nice if someone would decide to put a new car lot in Caswell County. Mr. Butler informed the Board that the Piedmont Triad Partnership is anticipating that US Highway 29 is going to be an interstate highway and it will then have a lot more traffic. Mr. Butler stated that some of the automobile dealers that have lost their dealerships are beginning to regain them, and hopefully, will recognize the business potential on US Highway 29, possibly locating a car lot in the County. Mr. Butler added that if the County limits them to 25 automobiles, it will discourage business. Mr. Butler stated that the County needs to look at the future and not close the door on someone locating a new car lot in Caswell County.

Commissioner Travis stated that something needs to be included in the Ordinance to address car lots, because what is being discussed are those in the repair business that also have dealer tags. Commissioner Travis added that the County does not have the staff to enforce the Ordinance to make sure that a repair business that also sells cars has only 25 cars on the lot.

Mr. John Claggett asked, if the County cannot enforce the Ordinance in its current state, what makes the Board think they can enforce it after they change it.

Mr. Bobby Plunkett came before the Board and stated that he agrees with the statement made that the Commissioners need to be thinking about the future and added that if a car lot cannot have more than 25 cars, no one will come into Caswell County and open a new car lot. Mr. Plunkett stated that it is usually the practice that if someone operates a car lot, they will also have a clean-up shop and repair shop. Mr. Plunkett added that the Board needs to bring Caswell County back to life and this will not happen if there are so many restrictions on everything that a business owner cannot operate in the County. Mr. Plunkett informed the Board that the cars he has on his lot all have valid titles and have been inspected.

Commissioner Battle stated that he felt that cosmetic requirements should be incorporated into the Ordinance for car lots that have cars for sale.

Commissioner Hall stated that he agrees with Commissioner Battle's comments, but when the Board starts singling out businesses such as car lots for cosmetic purposes, then they need to start singling out other businesses.

There being no further comments, Chairman Ward declared the public hearing closed.

Commissioner Hall moved, seconded by Chairman Ward to adopt the proposed amendments to the Caswell County Outdoor Storage Ordinance, as presented. The motion failed by a tie vote of two to two with Commissioners Battle and Travis voting no and Commissioner Carter absent.

### CASWELL COUNTY EMERGENCY SERVICES

Mr. Jim Gusler, Emergency Services Director, came before the Board and informed them that he has spent a significant amount of time over the last month to ensure that Caswell County will be getting the safest, most cost effective EMS unit and EMS unit remount possible. Mr. Gusler stated that he has been working with authorized distributors of Wheeled Coach Industries and American Emergency Vehicles to achieve this goal and added that he has visited both manufacturing plants and found that both manufacture a quality product. Mr. Gusler informed the Board that identical specifications have been provided to both companies and he has received final quotes for a turnkey job. Mr. Gusler stated that Northwestern Emergency Vehicles (AEV authorized distributor) has submitted a quote of \$210,000 and Select Custom Apparatus (Wheeled Coach authorized distributor) has submitted a quote of \$219,784.50 to complete both projects.

Mr. Gusler recommended that the Board approve the quote of \$210,000 from Northwestern Emergency Vehicles since their quote is five percent less than that of Select Custom Apparatus. Mr. Gusler added that these would be 2010 chassis that are not affected by emission standards changes effective for 2011 models. Mr. Gusler noted that both Northwestern and AEV are North Carolina companies that are within a reasonable distance to provide services as needed and Caswell County has always received a quality product and excellent service from them after the sale.

Upon questioning from Chairman Ward, Mr. Kevin Howard, County Manager, recommended that the units be financed, with the annual payments being approximately \$80,000 for three years, and the first payment becoming due in the next fiscal year.

Commissioner Travis stated that he knows that these ambulances are needed, but taxes will have to be increased in order to get the money to pay for them. Commissioner Travis added that he felt that this should be a budget item. Commissioner Travis noted that he would need to know where the money is coming from to pay for these units before he votes.

Mr. Gusler informed the Board that a concern he has is that an ambulance with 2011 emissions standards will cost an additional \$40,000 over the quotes he has received.

Commissioner Battle questioned the timeframe of availability of the units and Mr. Gusler answered that the units are ready as of today, but the units will not be held for Caswell County. After further questioning, Mr. Gusler answered that when ordered, the units should arrive within 90 to 120 days.

Commissioner Battle stated that he felt that the Board should wait until budget sessions to consider this item because it is a major purchase and they need to determine from where the funds will come to pay for it.

After further discussion, Chairman Ward moved to approve the purchase of an EMS ambulance unit and EMS unit remount from Northwestern Emergency Vehicles at a total cost of \$210,000. The motion died for lack of a second.

Mr. Gusler presented a request that the Board honor the sick leave balance transfer of 266.5 hours from Alamance County for Mr. David Hawks, who has recently become an employee with EMS. Mr. Howard noted that it has been past practice to allow the transfer of 240 sick leave hours and added that every surrounding county allows the transfer of all sick leave.

There was discussion by the Board as to what has been allowed in the past and the County's policy on transfer of sick leave.

Commissioner Travis stated that it was his understanding that the department head would come before the Board to request sick leave transfers in excess of 240 hours before an employee is hired. Commissioner Travis added that the Board needs to set a County policy on sick leave transfer and make sure that each department head is aware of this. Mr. Howard stated that he, along with a Committee, is in the process of reviewing the Personnel Policy.

Commissioner Hall stated that he agrees with Commissioner Travis in that if a department head wanted to request more than 240 hours of sick leave transfer, they were to come to the Board and make the request before the employee is hired.

Chairman Ward directed the County Manager to research this issue and present the information to the Board members no later than Friday at noon.

Commissioner Travis moved, seconded by Commissioner Battle to approve the transfer of 266.5 hours of sick leave from Alamance County to Caswell County for Mr. David Hawks, who is employed by Caswell County Emergency Medical Services. The motion carried unanimously with Commissioner Carter absent.

### TAX AND FINANCE SOFTWARE QUOTES

Mr. Thomas Bernard, Tax Director, and Ms. Gwen Vaughn, Finance Director, came before the Board to present quotes to upgrade or replace the County Tax and Finance software.

Mr. Thomas Bernard, Tax Director, presented the following four quotes for tax software and hardware, which he stated were rough estimates at this time.

#### One Tax

\$32,000 software cost per year

\$44,000 for server

This cost does not include any PC's or printers that we might need or conversion cost

#### NCPTS

\$600,000 implementation and software cost

\$50,000 for server

\$100,000 software cost per year

This cost does not include any PC's or printers that we might need

#### Tyler Technologies

\$51,950 software cost

\$82,350 for server and services

\$13,500 for third party software and services

This cost does not include any PC's or printers that we might need

#### Bi-Tek

\$114,000 software and conversion

\$20,000 for server

\$10,000 for training

\$20,000 annual software support

This cost does not include any PC's or printers that we might need

Ms. Gwen Vaughn, Finance Director, presented the following quotes for upgrading or replacing the current financial software system. Ms. Vaughn added that additional expenses may be incurred to complete the changeover, such as server and computer requirements.

ACS	2000 Implementation for Financial & Tax	
	Initial Cost:	\$524,425
	Current cost (annually):	\$ 79,974

Lawson	Financial software only/no hardware included	
	Software estimate:	\$350,000
	Implementation estimate:	\$500,000 - \$600,000
Logics	Financial software only/no hardware included	
	Lower estimate:	\$295,000
	Upper estimate:	\$390,000
Tyler Technologies	Financials & Tax	
	Software estimate:	\$125,100
	Service estimate:	\$167,575
	3 <sup>rd</sup> party hardware, software & services	\$ 15,150
	Recurring fees	\$ 2,700
Sungard	Financial software only/no hardware included	
	Software estimate:	\$420,192

Commissioner Hall stated that there appears to be no comparison on the quotes received as far as what is being proposed for the County. Commissioner Hall added that it would be best to prepare an RFP and obtain comparative information.

Upon questioning as to whether the Tax Director and Finance Director met together with any of the vendors, Mr. Bernard answered that they met together with Tyler Technologies. Mr. Bernard noted that some of the quotes obtained did not include the cost of conversion.

Mr. Bernard noted that the cost they had originally gotten for the AS400 server was approximately \$43,000 over a five year period.

Ms. Vaughn noted that the County is currently in the second year of a three-year contract with ACS at an annual cost of \$79,974.

Upon questioning from Commissioner Hall as to how many modules are available for use by the County, Ms. Vaughn answered that there are eight modules available for use and they use three.

Commissioner Hall stated that several years ago the Board looked at all of these modules and what could be done in Caswell County, and so far, at best, the County is using two, maybe three of them. Commissioner Hall added that Building Inspections and the Tax Office were to be connected and inter-related.

Commissioner Hall questioned whether there is any other cost other than the \$79,974 and Ms. Vaughn answered that there is a cost of \$2,000 for a networking support agreement. Commissioner Hall stated that the County is paying approximately \$80,000 annually for a software maintenance agreement and had to pay for the mainframe.



Mr. Bernard stated that if the AS400 server was installed in conjunction with Camden County, the installation would be completed and functioning by July 1, 2010, and payment would not be due until the new fiscal year.

Upon questioning from Commissioner Battle as to how long it takes to train someone to use a new module, Mr. Bernard answered that it would take a half day or less to train in Building Inspections.

Commissioner Hall stated that he was not comfortable with the information received by the Board and did not feel that all options had been exhausted.

(At 7:45 p.m. Commissioner Carter entered the meeting).

Mr. Howard stated that the Tax Director and Finance Director are satisfied with the software that they have now even though they are not utilizing it to the extent possible, and they are trying to show how expensive it could be to change their software.

Mr. Michael Ferrell, County Attorney, clarified that the County has a server that has a five-year life which will cost a total of approximately \$43,000 over a five year period. Mr. Ferrell stated that the contract to service that server runs from February to February and it is being proposed to extend that contract to June 30<sup>th</sup>, and to upgrade the server at a total cost of approximately \$43,000 which will be paid over a five year period.

Upon questioning from Chairman Ward as to their recommendation, Mr. Bernard and Ms. Vaughn recommended that the County remain with ACS and that the Board approve the purchase of an AS400 server at a cost of approximately \$43,000 over a five year period.

Chairman Ward stated that there is more to this than just purchasing a new server because the annual contract cost of approximately \$79,974 will continue, and there will be a \$2,000 cost for a networking support agreement.

Commissioner Travis questioned where the money would come from to pay for this and added that if it is ordered now, the money will have to come from Fund Balance.

After further discussion, Commissioner Carter moved, seconded by Commissioner Battle to extend the maintenance contract for the current server for the Tax and Finance Offices from February, 2010 to June 30, 2010. The motion carried unanimously.

Chairman Ward noted that the funds for the maintenance contract were budgeted for Fiscal Year 2009-2010, and if the server is approved, the appropriation will have to come from this year's budget and added that this was not a budgeted item.

Commissioner Carter moved to approve the purchase of an AS400 server at a cost of approximately \$43,000, to be appropriated from Fund Balance. The motion died for lack of a second.

Commissioner Hall stated that he would like to see some alternate proposals for consideration in next fiscal year's budget. Commissioner Hall added that his biggest concern is that the County has had ACS and he has heard excuses for the last five years as to why some of these modules will not work.

Mr. Bernard informed the Board that it will be a lengthy process to get an RFP prepared and back to the Board.

Commissioner Hall stated that the Board needs to consider what is needed in Caswell County and what it can afford, and that is what it needs to purchase.

Chairman Ward directed the Tax Director and Finance Director to present this request to the Board at its meeting on April 19, 2010.

#### YANCEYVILLE VOLUNTEER FIRE DEPARTMENT SUBSTATION

Mr. Vernon Massengill, Fire Marshal, came before the board to request approval of the map of the Yanceyville Volunteer Fire Department Substation, located in West Yanceyville. Mr. Massengill informed the Board that the fire departments in the County are going to six-mile fire districts which will help all of the residents in that extra mile as far as their insurance rating. Mr. Massengill stated that they were unable to acquire as much as they wanted in the middle west portion of the County, so they decided to certify their Substation in West Yanceyville. Mr. Massengill requested that the Board approve the map and *Resolution for Approval of Insurance District Boundaries*.

Commissioner Travis moved, seconded by Commissioner Carter to approve the map for the Yanceyville Volunteer Fire Department Substation as presented, and to adopt the following *Resolution for Approval of Insurance District Boundaries*. The motion carried unanimously.

#### **RESOLUTION**

##### **For Approval of Insurance District Boundaries**

NORTH CAROLINA

CASWELL COUNTY

Upon motion by Commissioner Kenneth Travis, seconded by Commissioner Bill Carter, RESOLVED that the Board of Commissioners of the County of Caswell approve the boundary lines of the Yanceyville (Substation) Fire Insurance District in accordance with the maps and description filed this date with the Board of County Commissioners and recorded in the minutes of the meeting. Said Yanceyville (Substation) Fire Insurance District being described as follows:

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## RECESS

The Board held a brief recess.

## HEALTH DEPARTMENT

Dr. Fred Moore, Health Director, came before the Board to request the installation of a new Health Department sign to be erected at the corner of NC Hwy 86 and County Park Road. Dr. Moore stated that the Health Department has been struggling for many years with the issue of how to effectively communicate with the public. Dr. Moore added that with their positive experience with signs on NC Hwy 86, several Health Department staff began looking into how to get a sign for the Health Department and how to pay for it. Dr. Moore informed the Board that the sign the Board of Health is recommending was proposed by Powers Signs at a cost of \$14,281 and will have an illuminated, static “Caswell County Health Department” component, an LED display that can provide multiple different messages to the public depending on the current events and has a 10 foot tall pole to make it more visible to the road. Dr. Moore reported that the funding for this sign is available through the State/Federal H1N1 grant the Health Department received earlier this year, the State has approved the use of the grant for this purpose, and there will be no County dollars spent on the construction of this sign. Dr. Moore noted that he has discussed this project with the Yanceyville Town Manager to make sure it meets the requirements of the Town’s Sign Ordinance.

After discussion, Commissioner Travis moved, seconded by Commissioner Hall to approve the purchase and installation of a new sign for the Caswell County Health Department at a cost of \$14,281 as presented, to be appropriated from the State/Federal H1N1 Grant. The motion carried unanimously.

## CONTRACT TO SELL WATER TO THE TOWN OF YANCEYVILLE

Mr. Kevin Howard, County Manager, reported that the Town of Yanceyville is applying for funding to extend their waterline on Old NC Hwy 86 from Providence to the County waterline at North Elementary School. Mr. Howard stated that the purpose of this is to create an emergency connection so the Town of Yanceyville can purchase water from the County if something were to happen to its source at Farmer Lake. Mr. Howard added that the Town needs a contract with the County before USDA Rural Development will consider the grant application.

Mr. David Parrish, Yanceyville Town Manager, stated that the Town of Yanceyville desires to have an emergency waterline connection to the City of Danville via the North Elementary School pipeline. Mr. Parrish added that the Town of Yanceyville has applied for a grant application from USDA and the North Carolina Rural Center, and even though it has not been approved yet, they feel confident that it may be funded. Mr. Parrish stated that a contract with the County is needed for further consideration of the grant application.

Mr. Michael Ferrell, County Attorney, stated that he would like to add the following language to the contract: “The County’s obligation to provide the water is subject to the County’s water

supply availability from the City of Danville and subject to all of the terms and conditions upon which it acquires water from the City of Danville”.

Upon questioning from Commissioner Hall, Mr. Howard answered that the City of Danville has consented to this connection and sale.

After further discussion, Commissioner Travis moved, seconded by Commissioner Carter to approve the Water Purchase Contract with the Town of Yanceyville as presented, with the inclusion of the language recommended by the County Attorney. The motion carried unanimously.

#### BUDGET AMENDMENT NO. 14

Mr. Kevin Howard, County Manager, presented and discussed Budget Amendment No. 14 for Fiscal Year 2009-2010. Commissioner Travis moved, seconded by Commissioner Hall to approve Budget Amendment No. 14 for Fiscal Year 2009-2010 as presented. The motion carried unanimously.

#### APPOINTMENT TO ECONOMIC DEVELOPMENT BOARD

Commissioner Travis moved, seconded by Commissioner Carter to appoint Mr. D. Cliff Matkins to the Economic Development Board. The motion carried unanimously.

#### APPOINTMENTS TO JUVENILE CRIME PREVENTION COUNCIL

Commissioner Travis moved, seconded by Commissioner Hall to appoint Rev. Everett Dickerson as a member of the Faith Community and Mr. Ric Bruton as a representative of the Alamance-Caswell LME to the Juvenile Crime Prevention Council. The motion carried unanimously.

#### APPOINTMENTS TO RECREATION COMMISSION

Commissioner Hall moved, seconded by Commissioner Travis to reappoint Mr. Lonnie L. Johnson and appoint Ms. Donna J. Kopec to the Recreation Commission. The motion carried unanimously.

#### WATER POLICY AND WATER AND SEWER RATES

Mr. Kevin Howard, County Manager, presented and discussed the final draft of the Water Policy and Water and Sewer Rates. After discussion, Commissioner Travis moved, seconded by Commissioner Hall to approve the Water Policy and Water and Sewer Rates as presented. The motion carried unanimously.

## COMMUNITY CAMPUS PARTNERSHIP BOARD APPOINTMENTS

Mr. Kevin Howard, County Manager, reported that the Community Campus Partnership Board has requested that the Board appoint one or more Commissioners to work with them in discussing future needs and projects in Caswell County.

After discussion, Commissioner Hall moved, seconded by Chairman Ward to appoint Commissioners Battle and Travis to the Community Campus Partnership Board. The motion carried unanimously.

## HIRING PROCESS FOR CLERK TO THE BOARD

Ms. Wanda Smith, Clerk to the Board, provided the Board with a Job Description, as well as a Classified Ad for the Clerk to the Board position. Ms. Smith requested direction from the Board as to publication of the ad. The Board directed Ms. Smith to publish the Clerk to the Board Classified Ad for two weeks in The Caswell Messenger, the upcoming Sunday editions of The News and Record, The Times News, and The Danville Register, in the April publication of County Lines and on their website, as well as the County's website.

After further discussion, Commissioner Battle moved, seconded by Chairman Ward to direct the Clerk to the Board to proceed with the publications of the Classified Ad for the Clerk to the Board position and appropriate an amount not to exceed \$3,000 for the publications, to be funded from Contingency. The motion carried unanimously.

## COUNTY MANAGER'S REPORT

Mr. Kevin Howard, County Manager, requested that the Board release a full-time CDOT driver position, Library Director position, and Library Assistant I position from the hiring freeze. After discussion, Commissioner Travis moved, seconded by Commissioner Carter to release a full-time CDOT driver position, Library Director position, and Library Assistant I position from the hiring freeze. The motion carried unanimously.

Commissioner Hall moved, seconded by Commissioner Travis to appoint Mr. Jeff Allen, District Manager for Community Corrections, to the Criminal Justice Partnership Board. The motion carried unanimously.

Mr. Howard presented Change Order No. 3 for the Pelham Industrial Park Water Project which is to add 40 days to the date for substantial completion. Mr. Howard stated that this is needed due to the wet weather and conditions on site for the last couple of months. Mr. Howard added that the new completion date is April 25, 2010. After discussion, Commissioner Travis moved, seconded by Commissioner Carter to approve Change Order No. 3 for the Pelham Industrial Park Project as presented. The motion carried unanimously.

Mr. Howard reported that this year, the City of New Bern, our state's first Capitol, is officially 300 years old and will be celebrating by hosting a Grand Event which will take place in September for Jubilee Weekend. Mr. Howard stated that to honor this occasion, New Bern is

inviting Caswell County to be a special part of this by participating in the Jubilee Heritage Parade, specifically to invite the County to participate in the Parade either by sponsoring a float with a theme that ties to the county or by sending representatives from the county to be a special part of the festivities. Chairman Ward directed the County Manager to bring this information back to the Board at its April 19, 2010 meeting.

Mr. Howard provided prices for metal detectors at the Recreation Department which range from \$150 for a handheld unit to \$4,500 for a walk through unit. After discussion, Chairman Ward directed the County Manager to discuss this issue with the Sheriff as it pertains to safety and possibly a panic button that would alert the Sheriff's Office, and have the Recreation Director come to the Board's April 19, 2010 meeting to discuss this issue further.

Mr. Howard stated that there has been discussion by the Board of touring the Montgomery County Detention Center. Chairman Ward directed the County Manager to inquire as to whether there is a Saturday that could be scheduled for this visit and bring this back to the Board at its April 19, 2010 meeting.

### ANNOUNCEMENTS

Ms. Wanda P. Smith, Clerk to the Board, announced that the Board of Commissioners has been issued an invitation by *A Pathway Community Support Services* to attend a Mental Health Town Hall meeting to be held on Tuesday, April 13, 2010, at 7:00 p.m. at Historic Providence Christian Church in Graham, NC. Ms. Smith stated that the Town Hall Meeting is scheduled due to the many changes that are being implemented by the state, and the effect these changes are having and going to have on the recipients, providers, and stakeholders of mental health services.

Ms. Smith reported that she contacted Mr. Mike Mills, NCDOT Division Engineer, in follow up to the letter she sent to him on December 19, 2009, concerning the Board of Commissioners' request for replacement of the Yarboroughs Mill road and Egypt Road bridges in Caswell County. Ms. Smith provided the following response from Mr. Mills:

#### Bridge on Yarboroughs Mill Road (SR 1554)

This bridge is on the Transportation Improvement Program (TIP) with an estimated cost of approximately \$3.2 million to replace. At this time, we are in the process of developing our new TIP, however, based on our current budget situation, I would estimate that this bridge would not be replaced until around 2015.

#### Bridge on Egypt Road (SR 1722)

We have placed this bridge on our Division Bridge Managed Replacement Program, and will begin the investigation of this bridge this summer. If all goes well, and it does meet our criteria for the replacement of this bridge with our Division Managed Program, such as the cost not exceeding \$1.2 million, no major environmental concerns, minimal Right of Way acquisition, etc., it is possible that this bridge could be replaced in 2011.

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Ms. Smith added that she spoke with Representative Bill Faison and Senator Tony Foriest's Office today concerning this issue and they both were going to contact Mr. Mills' Office today concerning funding for these bridges. Ms. Smith informed the Board that Representative Faison told her that he was unaware of any funds currently available for replacement of these bridges, but if the situation was significantly serious with these bridges, to let him know.

Commissioner Hall stated that this issue could be approached through the RPO Board, which is attended by Division Engineer Mike Mills, because sometimes they have discretionary monies from projects that are delayed. It was the consensus of the Board that Commissioner Battle, who is a member of the RPO Board, inquire as to funding for these projects.

Mr. Michael Ferrell, County Attorney, reported that in follow-up to questions raised at the March 1, 2010 meeting concerning the use of the Senior Center, he has researched the issue and found that there is no law that prohibits the Senior Center from offering programs to senior citizens only. After discussion, Mr. Howard stated that he would present a copy of the current Senior Center Policy to the Board at its next meeting for further discussion.

Commissioner Hall stated that recently there has been a lot of negative press about ABC Boards and it made him aware that the Board of Commissioners has not received a report from the local ABC Board in some time and would like for the Board to receive a report from them concerning revenues and expenditures, amounts turned over to Board of Education, etc. for the last two years.

The Clerk to the Board announced that recently Mr. Cleve Daniel submitted his resignation as Chairman of the ABC Board.

The County Manager announced that a representative from the Administrative Office of the Courts will be present at the Board's May 3, 2010 meeting to discuss their recent inspection report of the Courthouse located at 139 East Church Street.

Commissioner Travis stated that he would like to have the Board of Commissioners contact the North Carolina Department of Transportation to determine if caution lights could be placed at dangerous intersections throughout the County, such as at Alvis Boswell and Oakview Loop Roads. Commissioner Hall stated that it would be helpful to obtain accident reports at dangerous intersections. Chairman Ward directed the County Manager to bring a report back to the Board and then contact NCDOT concerning this issue.

#### CLOSED SESSION

Commissioner Battle moved, seconded by Commissioner Travis that the Board enter into closed session to preserve the Attorney/Client privilege (NCGS 143-318.11(a)(3)); and to consider the compensation, terms of appointment, and performance of an individual public officer (NCGS 143-318.11(a)(6)). The motion carried unanimously.

REGULAR SESSION

Commissioner Travis moved, seconded by Commissioner Battle to resume regular session. The motion carried unanimously.

THE ADJOURNMENT

At 9:35 p.m. Commissioner Travis moved, seconded by Commissioner Carter to adjourn the meeting. The motion carried unanimously.

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Wanda P. Smith  
Clerk to the Board

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George W. Ward, Jr.  
Chairman

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